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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/217,347	12/21/1998	JOHN G. FIJOLEK	98666	8453
20306	7590	03/11/2005		
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP 300 S. WACKER DRIVE 32ND FLOOR CHICAGO, IL 60606				
			EXAMINER KOENIG, ANDREW Y	
			ART UNIT 2611	PAPER NUMBER

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

09/217,347

Applicant(s)

FIJOLEK ET AL.

Examiner

Andrew Y Koenig

Art Unit

2611

All participants (applicant, applicant's representative, PTO personnel):

(1) Andrew Y Koenig.

(3) _____.

(2) Julian Santos.

(4) _____.

Date of Interview: 15 February 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 31,34,37,38,48,49,57,61,63 and 64.

Identification of prior art discussed: N/A.

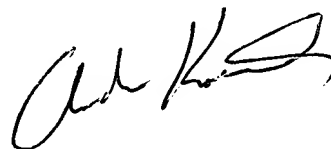
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant has submitted a proposed amendment (see attached), which includes the allowable subject matter indicated (via objections of the last action) into the independent claims. The applicant has agreed to file a formal response; the examiner will update the search and respond accordingly.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

PROPOSED AMENDMENTIn the claims:

31. (Currently amended) In a data communication system including a plurality of network devices, wherein the plurality of network devices includes first and second network devices, and wherein during initialization, communication system resources for carrying out session-based services are registered with and allocated by the second network device, a method for providing dynamic services comprising the steps of:

receiving during initialization at the second network device a registration message from the first network device containing parameters associated with a plurality of capabilities of the first network device used for carrying out at least one deferred session-based service between at least one service device associated with the first network device and a service server associated with the second network device, wherein each of the at least one deferred-session-based service comprises a service for which communication system resources are registered with, but not allocated by the second network device until the at least one deferred session-based service is later activated, and activation of the at least one deferred-session-based service is operable to occur after a session is established between the first and second devices;

configuring the second network device and the service server for the at least one deferred-session-based service;

associating a deferred-inactive-service identifier with the at least one deferred-session-based service, wherein the deferred-inactive-service identifier is used to activate the at least one deferred-session-based service at the later time; and

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sending the ~~deferred-inactive-service~~ identifier to the first network device, wherein when the at least one deferred-session-based service is later activated, a communication link utilizing the parameters is established between the first and second network devices;

receiving at the second network device from the first network device the ~~deferred-inactive-service~~ identifier;

responsive to the ~~deferred-inactive-service~~ identifier, activating the at least one deferred-session-based service between the session server and the service device; and

changing the ~~deferred-inactive-service~~ identifier to a deferred-active-service identifier.

32. (Cancelled)

33. (Currently amended) The method of claim 31 ~~32~~, further comprising the steps of:

receiving at the second network device from the first network device the deferred-active-service identifier;

responsive to the deferred-active-service identifier, deactivating the at least one deferred-session-based service between the session server and the service device; and

changing the deferred-active-service identifier to a deferred-inactive-service identifier.

34. (Currently amended) In a data communication system including a plurality of network devices, wherein the plurality of network devices includes first and second network devices,

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and wherein during initialization, communication system resources for carrying out session-based services are registered with and allocated by the second network device, a method for providing dynamic services comprising the steps of:

sending during initialization from the first network device to the second network device a registration message containing parameters associated with a plurality of capabilities of the first network device used for carrying out at least one deferred session-based service between at least one service device associated with the first network device and a service server associated with the second device, wherein each of the at least one deferred-session-based service comprises a service in which communication system resources are registered with, but not allocated by the second network device until the at least one deferred session-based service is later activated, and activation of the at least one deferred-session-based service is operable to occur after a session is established between the first and second devices, and wherein a deferred-inactive-service identifier is associated with the at least one deferred-session-based service, and wherein the deferred-inactive-service identifier is used to activate the at least one deferred-session-based service at the later time; and

receiving at the first network device from the second network device the deferred-inactive-service identifier, wherein when the at least one deferred session-based service is later activated, a communication link utilizing the parameters is established between the first and second network devices; and

sending to the second network device from the first network device the deferred-inactive-service identifier; wherein in response to the deferred-inactive-

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service identifier, the at least one deferred-session-based service between the service server and the service device is activated; and wherein the deferred-inactive-service identifier is changed to a deferred-active-service identifier.

35. (Cancelled)

36. (Currently amended) The method of claim ~~34~~³⁵, further comprising the steps of:

sending to the second network device from the first network device the deferred-active-service identifier; wherein responsive to the deferred-active-service identifier, the at least one deferred-session-based service between the service server and the service device is deactivated; and wherein the deferred-active-service identifier is changed to a deferred-inactive-service identifier.

37. (Currently amended) In a data communication system including a plurality of network devices, wherein the plurality of network devices includes first and second network devices, and wherein during initialization, communication system resources for carrying out session-based services are registered with and allocated by the second network device, a method for providing dynamic services comprising the steps of:

the second network device receiving a first message from the first network device, wherein the first message includes parameters associated with a plurality of capabilities of the first network device used for carrying out at least one deferred-session-based service between a service server associated with the second network device and a service device associated with the first network device, wherein each of the at least one deferred-session-based service comprises a service in which communication system resources are registered

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with, but not allocated by the second network device until the at least one deferred session-based service is later activated, and activation of the at least one deferred-session-based service is operable to occur after a session is established between the first and second devices;

extracting the parameters from the first message;

creating a service-session profile for the at least one deferred-session-based service, wherein the service-session profile includes one or more of the parameters;

using the service-session profile to configure the service server and the second network device for the at least one deferred-session-based service for activation at a later time;

associating the service-session profile with a deferred-inactive-service identifier, wherein the deferred-inactive-service identifier is used to activate the at least one deferred-session-based service at the later time; and

sending the deferred-inactive-service identifier to the first network device in a second message, wherein when the deferred-inactive-service identifier is used to later activate the at least one deferred-session-based service, a communication link utilizing the service session profile is established between the first and second network devices;

the second network device receiving from the first network device a service request to activate the at least one deferred-session-based service, wherein the service request includes the deferred-inactive-service identifier;

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responsive to the deferred-inactive-service identifier, activating the at least one deferred-session-based service between the service server and the service device; and

changing the deferred-inactive-service identifier to a deferred-active-service identifier.

38. (Previously presented) A computer readable medium having stored therein instructions for causing a central processing unit to execute the method of claim 37.
39. (Previously presented) The method of claim 37, wherein the first network device is a cable modem and the second network device is a cable modem termination system.
40. (Previously presented) The method of claim 37, wherein the deferred inactive service identifier is a Medium Access Control Protocol service identifier.
41. (Previously presented) The method of claim 37, wherein the parameters include any of quality-of-service, class-of-service, type-of-service or voice service parameters.
42. (Previously presented) The method of claim 37, wherein the first message is a registration message and the second message is a registration response message.
43. (Previously presented) The method of claim 37, wherein the deferred-inactive-service identifier is encoded in a Type-Length-Value format.
44. (Cancelled)
45. (Previously presented) The method of claim 37, further comprising the step of generating a service event on the service server to request activation of the at least one deferred-session-

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based service, wherein the step of generating a service event occurs prior to activation of the at least one deferred-session-based service.

46. (Currently amended) The method of claim 37-44, wherein the service server is any of a Remote Authentication Dial In User Server, a Voice over Internet Protocol server, Asynchronous Transport Mode Server, Frame Relay Server, or an Integrated Services Digital Network server, or an Asymmetric Digital Subscriber Line server.

47. (Previously presented) The method of claim 45, wherein the step of generating a service event includes generating any of an authentication, authorization or an accounting event.

48. (Currently amended) The method of claim 37, further comprising the steps of: in a data communication system including a plurality of network devices, wherein the plurality of network devices includes first and second network devices, and wherein during initialization, communication system resources for carrying out session-based services are registered with and allocated by the second network device, a method for providing dynamic services comprising the steps of:

the second network device receiving a first message from the first network device, wherein the first message includes parameters associated with a plurality of capabilities of the first network device used for carrying out at least one deferred-session-based service between a service server associated with the second network device and a service device associated with the first network device, wherein each of the at least one deferred-session-based service comprises a service in which communication system resources are registered with, but not allocated by the second network device until the at least one

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deferred session-based service is later activated, and activation of the at least one deferred-session-based service is operable to occur after a session is established between the first and second devices;

extracting the parameters from the first message;

creating a service-session profile for the at least one deferred-session-based service, wherein the service-session profile includes one or more of the parameters;

using the service-session profile to configure the service server and the second network device for the at least one deferred-session-based service for activation at a later time;

associating the service-session profile with a deferred-inactive-service identifier, wherein the deferred-inactive-service identifier is used to activate the at least one deferred-session-based service at the later time;

sending the deferred-inactive-service identifier to the first network device in a second message, wherein when the deferred-inactive-service identifier is used to later activate the at least one deferred-session-based service, a communication link utilizing the service session profile is established between the first and second network devices;

the second network device receiving from the first network device a service request to deactivate at least one deferred-session-based service, wherein the service request includes the deferred-active-service identifier;

generating a service event on the service server to request deactivation of the desired service;

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deactivating the at least one deferred-session-based service; and
changing the deferred-active-service identifier to a deferred-inactive-service identifier.

49. (Previously presented) In a data communication system including a plurality of network devices, wherein the plurality of network devices includes first and second network devices, wherein during initialization, communication system resources for carrying out session-based services are registered with and allocated by the second network device, and ~~wherein a session is established between the first and second devices,~~ a method for providing dynamic services comprising the steps of:

the second network device receiving a first message from the first network device, wherein the first message includes parameters associated with a plurality of capabilities of the first network device used for carrying out at least one deferred-session-based service between a service server associated with the second network device and a service device associated with the first network device, wherein each of the at least one deferred-session-based service comprises a service in which communication system resources are registered with, but not allocated by the second network device until the at least one deferred session-based service is later activated, and activation of the at least one deferred-session-based service is operable to occur after a session is established between the first and second devices;

extracting the parameters from the first message;

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creating a service-session profile for the at least one deferred-session-based service, wherein the service-session profile includes one or more of the parameters;

using the service-session profile to configure the service server and the second network device for the at least one deferred-session-based service for activation at a later time;

associating the service-session profile with a deferred-inactive-service identifier, wherein the deferred-inactive-service identifier is used to activate the at least one deferred-session-based service at the later time;

sending the deferred-inactive-service identifier to the first network device in a second message, wherein when the deferred-inactive-service identifier is used to later activate the at least one deferred-session-based service, a communication link utilizing the service session profile is established between the first and second network devices;

the second network device receiving from the first network device a service request to activate at least one deferred-session-based service ~~between a service server associated with the second network device and a service device associated with the first network device~~, wherein the service request includes a ~~the deferred-inactive-service identifier that is registered with the second network device during initialization and associated with the at least one deferred-session-based service~~, wherein each of the at least one deferred-session-based service comprises a service in which communication system resources are registered with, ~~but not allocated by the second network device until the at least one~~

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~~deferred session-based service is activated, and activation of the at least one deferred session-based service is operable to occur after a session is established between the first and second devices;~~

responsive to the deferred-inactive-service identifier, generating a service event on the service server to request activation of the at least one deferred-session-based service;

activating the at least one deferred-session-based service using a previously created service-session profile associated with the deferred-inactive-service identifier; and

changing the deferred-inactive-service identifier to a deferred-active-service identifier, wherein when the at least one deferred-session-based service is activated, a communication link utilizing the service session profile is established between the first and second network devices.

50. (Currently amended) A computer readable medium having stored therein instructions for causing a central processing unit to execute the method of claim ~~49~~ 53.
51. (Previously presented) The method of claim 49, wherein the first network device is a cable modem and the second network device is a cable modem termination system.
52. (Previously presented) The method of claim 49, wherein the deferred-inactive-service identifier is a Medium Access Control Protocol service identifier and the deferred-active-service Identifier is a Medium Access Control Protocol Service identifier.
53. (Previously presented) The method of claim 49, wherein the step of generating a service event includes generating any of an authentication, authorization or an accounting event.

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54. (Previously presented) The method of claim 49, wherein the service server is any of a Remote Authentication Dial In User Server, a Voice over Internet Protocol server, Asynchronous Transport Mode Server, Frame Relay Server, an Integrated Services Digital Network server, or an Asymmetric Digital Subscriber Line server.
55. (Previously presented) The method of claim 49, wherein the service request is a Voice over Internet Protocol off-hook request.
56. (Cancelled)
57. (Currently amended) A computer readable medium having stored therein instructions for causing a central processing unit to execute the method of claim 48-56.
58. (Currently amended) The method of claim 48-56, wherein the deferred-active-service identifier is a Medium Access Control Protocol service identifier and the deferred-inactive-service identifier is a Medium Access Control Protocol service identifier.
59. (Currently amended) The method of claim 48-56, wherein the service request is a Voice over Internet Protocol on-hook request.
60. (Currently amended) ~~The method of claim 37, further comprising in a data communication system including a plurality of network devices, wherein the plurality of network devices includes first and second network devices, and wherein during initialization, communication system resources for carrying out session-based services are registered with and allocated by the second network device, a method for providing dynamic services comprising the steps of:~~

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~~the first network device sending to the second network device a service request to activate at least one deferred-session-based service between a service server associated with the second network device and a service device associated with the first network device, wherein each of the at least one deferred-session-based service comprises a service in which communication system resources are registered with, but not allocated by the second network device until the at least one deferred session-based service is later activated, and activation of the at least one deferred-session-based service is operable to occur after a session is established between the first and second devices, and wherein the service request includes a deferred inactive service identifier that is registered with the second network device during initialization and associated with at least one deferred-session-based service; and~~

~~the first network device receiving from the second network device a service notification from the service server indicating that the at least one deferred-session-based service has been activated, wherein when the at least one deferred-session-based service is activated, a communication link is established between the first and second network devices, and wherein the communication link utilizes parameters associated with the plurality of capabilities of the first network device used for carrying out the at least one deferred-session-based service.~~

61. (Previously presented) A computer readable medium having stored therein instructions for causing a central processing unit to execute the methods of claim 60.

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62. (Currently amended) ~~The method of claim 48, further comprising in a data communication system including a plurality of network devices, wherein the plurality of network devices includes first and second network devices, wherein during initialization, communication system resources for carrying out session based services are registered with and allocated by the second network device, and wherein a session is established between the first and second devices, a method for providing dynamic services comprising the steps of:~~

~~a first network device sending a service request to a second network device to deactivate at least one deferred session based service occurring between a service server associated with the second network device and a service device associated with the first network device, wherein the service request includes a deferred active service identifier, wherein the deferred active service identifier is a complement of a deferred inactive service identifier that is registered during initialization with the second network device and associated with the at least one deferred session based service, wherein each of the at least one deferred session based service comprises a service in which communication system resources are registered with, but not allocated by the second network device until the at least one deferred session based service was later activated, and activation of the at least one deferred session based service occurred after a session was established between the first and second devices; and~~

~~the first network device receiving a service notification from the service server indicating that the at least one deferred session based service has been deactivated, wherein when the at least one deferred session based service is deactivated, a communication link between the first and second network devices~~

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~~is terminated, and wherein the communication link utilized parameters associated with the plurality of capabilities of the first network device used for carrying out the at least one deferred-session-based service.~~

63. (Previously presented) A computer readable medium having stored therein instructions for causing a central processing unit to execute the method of claim 62.
64. (Previously presented) A system for providing dynamic services to a network device in data communication system, wherein the system includes first and second network devices, and wherein during initialization, communication system resources for carrying out session-based services are registered with and allocated by the second network device, the system comprising in combination:

the second network device that is operable to provide ~~providing~~ at least one deferred-session-based service between a service device associated with the first network device and a service server associated with the second network device, wherein each of the at least one deferred-session-based service comprises a service in which communication system resources are registered with, but not allocated by the second network device until the at least one deferred session-based service is later activated, and activation of the at least one deferred-session-based service is operable to occur after a session is established between the first and second devices;

a service-session profile that includes ~~including~~ parameters associated with a plurality of capabilities of the first network device used for carrying out the at least one deferred-session-based service, wherein the service-session profile is

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used for configuring the second network device and the service server for the at least one deferred-session-based service, and wherein when the at least one deferred-session-based service is later activated, a communication link utilizing the service session profile is established between the first and second network devices;

a deferred-inactive-service identifier that is associated with the service-session profile for later activating a previously-configured at least one deferred-session-based service;

a deferred-active-service identifier that is created from the deferred-inactive-service identifier for indicating that the at least one deferred-session-based service is active; and

a service event generator for generating a service event on the service server to request activation of the at least one deferred-session-based service, wherein the second network device is operable to (i) receive from the first network device the deferred-inactive-service identifier; (ii) activate, responsive to the deferred-inactive-service identifier, the at least one deferred-session-based service between the session server and the service device, and (iii) change the deferred-inactive-service identifier to the deferred-active-service identifier.

65. (Cancelled)

66. (Cancelled)



McDonnell Boehnen Hulbert & Berghoff
Law Offices

Fax transmittal

To	Andrew Y. Koenig	Date	February 8, 2005
Company	USPTO	From	Julian F. Santos
Fax	703 746 5748	Direct	312 913 3304
Phone	703 306 0399	Email	santos@mbhb.com
Pages, with cover	17	C/M	
Re	Proposed Claim Amendments for Discussion Purposes		

Dear Examiner Koenig:

Attached are proposed claim amendments for pending application no. 09/217,347 (Attorney Docket No. 98-666). I look forward to discussing these amendments at 9:00a.m. Central Standard Time on February 15, 2005.

Sincerely,

A handwritten signature of Julian F. Santos in black ink.

Julian F. Santos
Reg. No. 47,917

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